IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 23797 of 2004

Between:

S. Surya Begum, W/o Late Sattar,
SPW Polytechnics, TTDs, Tirupathi,
R/o Tirupathi, Chittoor District.

..... PETITIONER

AND

1 The Tirumala Tirupathi Devasthanams, Tirupathi, Chittoor District, Rep. by its Executive Officer.

2 The Principal, SPW Polytechnics, Tirumala Tirupathi Devasthanams, Tirupathi, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in discontinuing the petitioner from service without any notice or opportunity as arbitrary, discriminatory and contrary to law and consequently direct the Respondents to absorb the petitioner in any post in any department in TTDs, as has been done in respect of similarly situated employees of Bakery Project of the 2nd Respondent, in the light of the Judgment dated 10-7-2003 in W.P.No. 5162 of 2001 and with all other consequential benefits monetary and otherwise.

Counsel for the Petitioner: MR.V.JAGAPATHI

Counsel for the Respondents: MS.P.SARADA

The Court made the following :

ORDER

Heard both sides and at their request, the main Writ Petition itself is taken up for disposal.

It is now represented by the learned counsel appearing on either side that the question involved especially in regard to the entitlement of the petitioner for absorption into service is squarely covered by the order of this Court in W.P.No.5162 of 2001, dated
10-07-2003. It is further represented that the said order was also confirmed by the Hon'ble Supreme Court in Special Leave to Appeal (Civil) No.10012 of 2004, dated 06-07-2004, which arose out of the appeal filed against the said order in W.A.No.2234 of 2003, dated 07-01-2004.

In view of the above, the Writ Petition is accordingly disposed of directing the respondents to consider the petitioner's case for absorption in any existing or available future vacancy in any post having regard to her long service since 1989. This direction is issued in view of the various Government orders permitting absorption of temporary employees of TTD, mentioned supra. It is clarified that the petitioner has no claim for equivalence of status and salary vis-à-vis what she was drawing when employed as Baker in the matter of fitment into a post to which the TTD would consider absorbing her. No costs.

04-04-2005

Hsd

Asst. Registrar

To

1 The Executive Officer, Tirumala Tirupathi Devasthanams, Tirupathi, Chittoor District..

2 The Principal, SPW Polytechnics, Tirumala Tirupathi Devasthanams, Tirupathi, Chittoor District.

3 2 CD copies.